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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Pradeep K. Subrahmanyam

Appln. No.: 09/767,546

Group Art Unit: 2651

Filed : January 23, 2001

For : DISC STORAGE SYSTEM WITH ADAPTIVE
PID CONTROL

Examiner: Andrew L. Sniezak

Docket No.: S01.12-0644

REQUEST FOR ACTION ON SUPPLEMENTAL APPEAL PAPERS

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS
PAPER IS BEING SENT BY U.S.
MAIL, FIRST CLASS, TO THE
COMMISSIONER OF PATENTS AND
TRADEMARKS, WASHINGTON, D.C.
20231, THIS

26 DAY OF September, 2006.

PATENT ATTORNEY

More than a year has passed since Applicant's filing of Supplemental Appeal Papers of February 10, 2004, and the US Patent Office has not issued an Office Action. Applicant requests a prompt and favorable Office Action. The history and the delays encountered are summarized below:

Prosecution

1. The USPTO mailed an Office Action on December 16, 2003, and the Applicant filed a Request for Reinstatement of Appeal, a Supplemental Appeal Brief and a \$330.00 filing fee (hereinafter, "the Supplemental Appeal Papers") on February 10, 2004.

2. Applicant contacted the Examiner by phone August 4-5, 2004 and discussed the non-response of the USPTO. Per the Examiner's suggestion, duplicates of the Supplemental Appeal Papers were faxed to the Examiner on August 5, 2004.

3. The USPTO did not issue an office action in response to Applicant's fax of August 5, 2004, and Applicant faxed a status inquiry to the Patent Office on October 1, 2004.

4. Applicant left a voice mail message for the Examiner on November 3, 2004 asking for an estimate of a date when a response to Applicant's Supplemental Appeal Brief could be expected.

5. The Patent Office did not issue a status report in response to Applicant's status inquiry, and the Applicant spoke with the Examiner on May 20, 2005, and mailed another status inquiry on March 23, 2005.

6. The Patent Office did not issue a status report in response to Applicant's status inquiry, and the Applicant resent the Supplemental Appeal Papers and a letter by fax on June 13, 2005.


7. The Patent Office did not issue an office action in response to the Supplemental Appeal papers that were resent on June 13, 2005, and Applicant faxed another status inquiry on July 22, 2005. There was no response.

Request for Action on the Supplemental Appeal Papers

Applicant requests that the Patent Office respond to Applicant's Supplemental Appeal Papers filed on February 10, 2004. The then-current filing fee of \$330.00 was paid. The current fee for filing an appeal brief is \$500.00. With this request, Applicant submits a check for the difference, \$170.00. Prompt and favorable action are requested.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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